

DEPARTMENT OF SOCIAL SERVICES

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February 23, 1982

ALL-COUNTY INFORMATION NOTICE I-22-82

TO: ALL PUBLIC AND PRIVATE ADOPTION AGENCIES
ALL DEPARTMENT OF SOCIAL SERVICES DISTRICT OFFICES

SUBJECT: Verification of Marriages and Marriage Dissolutions

This is to remind adoption agencies that in working with the birth mother in relinquishment adoptions or otherwise researching the birth mother's marital history and in preparing to free children for adoption, it is essential to follow adoption regulations 22 California Administrative Code Sections 30595 and 30626.

Section 30595 states in pertinent part: "The agency shall verify marriages and dissolution of marriages, including the marriage of parent or parents at time of child's birth; previous marriages of mother and termination of each by death, divorce, or annulment; first marriage of mother subsequent to child's birth. When verification of the dissolution of all marriages is not possible, the marriages preceding a divorce decree may be deemed to have been validly dissolved. A valid divorce presupposes that the marriage was valid and a valid marriage presumes the proper dissolution of any previous marriage. The last divorce decree can be accepted as disproving the parental relationship of prior presumptive fathers".

Section 30626 states in pertinent part: "(a) The legal relationship that exists between a child and his parents, if living, shall be terminated prior to adoption... (c) When there is more than one presumed father, the rights of all presumed fathers must be terminated either by relinquishment or court action pursuant to Section 232 of the Civil Code."

There is an increasing number of cases in which documentation on the form, Supporting Information for Issuance of Department of Social Services Waiver and Acknowledgment, (AD 90), is received by this Department indicating multiple marriages and marriage dissolutions of the birth mother with no marriage or marriage dissolution having been verified and parental rights terminated on only one possible presumed father. This Department cannot issue its acknowledgment and waiver unless verification of marriages and marriage dissolutions are completed in accordance with the above-referenced regulation or parental rights are terminated on all presumed fathers.

If there are any questions regarding this letter, please contact your adoption program consultant.

Sincerely,


CLAUDE E. FINN
Deputy Director

cc: CWDA

